IN THE HIGH COURT OF JUDICATURE AT PATNA
CR. REV. No.1458 of 2007
SK.MANJOOR, SON OF SK. MANAUR, RESIDENT OF VILLAGE-BAKHARIA, P.S.-MAJHAULIA, DISTRICT-WEST CHAMPARAN
……. INFORMANT/PETITIONER

Versus

(1) THE STATE OF BIHAR
(2) BASUDEO THAKUR, SON OF MAHADEO THAKUR
(3) JAGDEO THAKUR, SON OF MAHADEO THAKUR
(4) MUKHLAL THAKUR, SON OF SUKDEO THAKUR
(5) BABULAL THAKUR, SON OF SUKDEO THAKUR
(6) MANGAL THAKUR, SON OF SUKDEO TDHAKUR
(7) RAMJEEVAN THAKUR, SON OF BABULAL HAKUR
(8) NARSIN GH THAKUR, SON OF MANGAL THAKUR
(9) MUNNILAL THAKUR, SON OF BASUDEO THAKUR
(10) LAXMI THAKUR, SON OF JAGDEO THAKUR
(11) NATHUNI THAKUR, SON OF NARSINGH THAKUR
ALL RESIDENT OF VILLAGE-AKHGARIA, SHEIKH HAFIZ TOLA, P.S. MAJHAULIA, DISTRICT-WEST CHAMPARAN.
……..ACCUSED/OPPOSITE PARTIES

02/ 23-10-2008 Heard.

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This revision has been preferred against the judgment and order dated 29.09.2007 passed by the learned Additional Sessions Judge, Fast Track Court-III, West Champaran, Bettiah in Criminal Appeal No. 73 of 2001 whereby and whereunder he has acquitted the accused persons and set aside the judgment of conviction and sentence dated 04.10.2001 passed by Sri Vishwanath Prasad, Judicial Magistrate, Ist Class, Bettiah in Trial No. 87 of 2001 corresponding to G.R. No. 75 of 1995.

It appears that during occurrence nine persons received injury out of them only four were examined during trial by the prosecution. Neither doctor was examined nor injury report was brought on the record. The Investigating Officer was also not

examined. P.Ws. 2 and 7 were not examined by the Police during investigation and, therefore, the appellate court refused to accept their evidence. P.W. 4 according to the appellate court is a hearsay witness. P.Ws. 1 to 6 had enmity with the accused persons. The learned appellate court by a well reasoned judgment has allowed the appeal and acquitted the accused persons.

After hearing the learned counsel, I do not find any perversity in the impugned judgment.

This revision, therefore, has no merit and it is dismissed accordingly.

S.Sb/- **(Madhavendra Saran, J.)**

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